

**REMARKS**

Claims 1-7 and 10 were pending in the instant application. Claims 1-3 have been deemed allowed by the Examiner. Moreover, Applicant has provided the outstanding terminal disclaimer required to put the application in condition for allowance. *No new matter has been added.*

**Judicially Created Doctrine of Obviousness-Type Double Patenting*****Rejection of Claims 1-7 and 10 under the Judicially Created Doctrine of Obviousness-Type Double Patenting over U.S. Patent Nos. 6,103,698, 6,015,790, 5,831,002, and 5,965,700***

Claims 1-7 and 10 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,103,698, 1-11 of U.S. Patent No. 6,015,790, 1-10 of U.S. Patent No. 5,831,002, and 1-4 of U.S. Patent No. 5,965,700. Applicants have formerly provided terminal disclaimers that addressed the obviousness-type double patenting rejections with respect to U.S. Patent Nos. 6,103,698, 5,831,002, and 5,965,700 in our response of December 1, 2003.

Furthermore, Applicant remarked that U.S. Patent No. 6,015,790 was in the process of undergoing reassignment from BASF Aktiengesellschaft to Abbott GmbH & Co. KG. In this regard, we note that such reassignment has been completed; and we further provide the remaining terminal disclaimer. Accordingly, Applicant respectfully submits that the rejection of claims 1-7 and 10 under the judicially created doctrine of obviousness-type double patenting is now moot, and respectfully requests withdrawal of the rejection and allowance of the application.

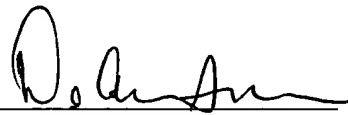
**CONCLUSION**

In view of the foregoing, favorable reconsideration and withdrawal of the rejections, and allowance of this application with all pending claims are respectfully requested. If a telephone conversation with Applicants' attorney would expedite prosecution of the above-identified application, the Examiner is invited to call the undersigned at (617) 227-7400.

Respectfully submitted,

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